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Date of Deposit: January 14, 2004

Attorney Docket No. 25739-027

**COMBINED DECLARATION AND POWER OF ATTORNEY
FOR PATENT APPLICATION**

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am an original, first and sole inventor of the subject matter which is claimed and for which a utility patent is sought on the invention entitled:

FLUID DISPENSING DEVICE

the specification of which:

- was filed on August 26, 2003 as United States non-Provisional Application No. 10/649,592, bearing attorney docket no. 25739-027.
- is attached hereto.

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, §1.56.

- I hereby claim foreign priority benefits under Title 35, United States Code, §119(a)-(d) or §365(b) of any foreign application(s) for patent or inventor's certificate, or §365(a) of any PCT International application designating at least one country other than the United States listed below and have also identified below any foreign application for patent or inventor's certificate or PCT International application having a filing date before that of the application on which priority is claimed.

Priority
Claimed

| | |
|--------------------------|--------------------------|
| <input type="checkbox"/> | <input type="checkbox"/> |
| Yes | No |

(Number) (Country - if PCT, so indicate) (dd/mm/yy Filed)

| | |
|--------------------------|--------------------------|
| <input type="checkbox"/> | <input type="checkbox"/> |
| Yes | No |

(Number) (Country - if PCT, so indicate) (dd/mm/yy Filed)

- I hereby claim the benefit under Title 35, United States Code, § 119(e) or § 120 of any United States application(s), or §365(c) of any PCT International application(s) designating the United States of America listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, §1.56 which became available between the filing date of the prior application and the national or PCT International filing date of this application:

| | | |
|--|---------------------------------|--|
| <u>60/405009</u> (Application No.) | <u>8/21/02</u> (Filing Date) | <u>Pending</u> (Status: Patented Pending, Abandoned) |
| <u>10/645,010</u> (Application No.) | <u>8/21/03</u> (Filing Date) | <u>Pending</u> (Status: Patented, Pending, Abandoned) |

PCT International Applications designative the United States:

| <u>(PCT App No.)</u> | <u>(US Serial No.)</u> | <u>(PCT Filing Date)</u> | <u>(Status)</u> |
|----------------------|------------------------|--------------------------|-----------------|
|----------------------|------------------------|--------------------------|-----------------|

I hereby appoint the attorneys and/or agents associated with Mintz Levin Cohn Ferris Glovsky & Popeo, Customer Number No. 30623.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or patent issued thereon.

Original, First and Sole Inventor Signature

Full Name of Inventor: James M. Leventhal

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Date